

**U.S. Department of Education  
Office of Indian Education  
SAMPLE Consortium Agreement**

For the purpose of applying for a Indian Education Formula Grant application as consortium members, we, the undersigned local educational agencies (LEAs) agree to adhere to the requirements under 34 CFR §75.127–129 (attached). Each LEA also certifies that it is not submitting a separate application as an individual LEA for this same grant. In addition,

**1. General Agreement**

It is agreed that the lead consortium member LEA will be \_\_\_\_\_ School District, which is designated to act on behalf of all consortium member LEAs. As a consortium member we understand that this agreement binds each member of the group to every statement and assurance made by the applicant in the application. The applicant for the group is the grantee and is legally responsible for --

- (A) The use of all grant funds;
- (B) Ensuring that the project is carried out by the group in accordance with Federal requirements;
- and
- (C) Ensuring that indirect cost funds are determined as required under 34 CFR §75.564(e).

**2. Legal Responsibility**

We also understand that, as an LEA member of the consortium, we are each legally and individually responsible to --

- (A) Carry out the activities we agree to perform; and
- (B) Use the funds that we receive under the agreement in accordance with Federal requirements that apply to the grant, including the parent consultation and committee requirements below.

**3. Parent Consultation and Committee requirements**

(A) The local program for which we seek funding ("Indian Education program") was developed in open consultation with parents of Indian children and teachers, and, if appropriate, Indian students from secondary schools, including through public hearings held to provide individuals in each member LEA a full opportunity to understand the program and to offer recommendations regarding the program.

(B) [Each member LEA developed the Indian Education program with the participation and written approval of a Parent Committee composed and selected in accordance with section 7114(c) of the ESEA, Title VII, Part A]

Or

[The Indian Education program was developed with the participation and written approval of a Parent Committee composed and selected in accordance with section 7114(c) of the ESEA, Title VII, Part A, including parents from each member LEA proportionate to the school population of each LEA]

(C) The Parent Committee has set forth such policies and procedures, including policies and procedures relating to the hiring of personnel, as will ensure that the Indian Education program will be operated and evaluated in consultation with, and with the involvement of, parents of the children in each LEA, and representatives of the area, to be served.

#### 4. Comprehensive Program

These grant funds will be used to carry out, in each member LEA, a comprehensive program for meeting the needs of Indian children, including their language and cultural needs, consistent with ESEA section 7115 (20 USC 7425). The particular activities for this grant will be:

[illegible]

Signed by the following authorized representatives of the member LEAs:  
(copy additional sign-off spaces as needed)

[illegible]

## **Group Applications: From Code of Federal Regulations (34 CFR Part 75)**

### **§ 75.127 Eligible parties may apply as a group.**

- (a) Eligible parties may apply as a group for a grant.
- (b) Depending on the program under which a group of eligible parties seeks assistance, the term used to refer to the group may vary. The list that follows contains some of the terms used to identify a group of eligible parties:
  - (1) Combination of institutions of higher education.
  - (2) Consortium.
  - (3) Joint applicants.
  - (4) Cooperative arrangements.

(Authority: 20 U.S.C. 1221e-3 and 3474)

### **§ 75.128 Who acts as applicant; the group agreement.**

- (a) If a group of eligible parties applies for a grant, the members of the group shall either:
  - (1) Designate one member of the group to apply for the grant; or
  - (2) Establish a separate, eligible legal entity to apply for the grant.
- (b) The members of the group shall enter into an agreement that:
  - (1) Details the activities that each member of the group plans to perform; and
  - (2) Binds each member of the group to every statement and assurance made by the applicant in the application.
- (c) The applicant shall submit the agreement with its application.

(Authority: 20 U.S.C. 1221e-3 and 3474)

### **§ 75.129 Legal responsibilities of each member of the group.**

- (a) If the Secretary makes a grant to a group of eligible applicants, the applicant for the group is the grantee and is legally responsible for:
  - (1) The use of all grant funds;
  - (2) Ensuring that the project is carried out by the group in accordance with Federal requirements; and
  - (3) Ensuring that indirect cost funds are determined as required under §75.564(e).
- (b) Each member of the group is legally responsible to:
  - (1) Carry out the activities it agrees to perform; and
  - (2) Use the funds that it receives under the agreement in accordance with Federal requirements that apply to the grant.

(Authority: 20 U.S.C. 1221e-3 and 3474)